

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

UNITED STATES OF AMERICA, *et al.*,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 1:23-cv-00108-LMB-JFA

DECLARATION OF
CHRISTOPHER EDMONDSON

I, Christopher Edmondson, hereby declare as follows:

1. I am Executive Director at VML, LLC (“VML”) and Young & Rubicam LLC’s offices in Atlanta, Georgia, and Memphis, Tennessee. VML and Young & Rubicam LLC have each operated at various times as Team Y&R, Y&R, or VMLY&R (collectively “Y&R”).

2. Y&R, a leading global communications company, provides a range of marketing, advertising, and communications services to its clients, including, as relevant here, to two of Y&R’s clients, the United States Census Bureau (“Census”) and the United States Navy (“Navy”).

3. Davis+Gilbert LLP (“Davis+Gilbert”) represents Y&R in connection with the above-referenced action (the “Action”), along with local counsel Greenstein DeLorme & Luchs, P.C. I understand that in connection with the Action, Y&R’s clients, Census and Navy, produced documents containing Y&R’s confidential information, which were designated as Confidential or Highly Confidential, reflecting the commercial sensitivity of these documents (the “Y&R Confidential Documents”). I have been advised that these designations afford them protection from public disclosure pursuant to the Protective Order in this Action.

6/13/24
[Signature]

4. I have been advised that the Parties have filed pleadings containing the Y&R Confidential Documents in their entirety, excerpted, and/or as references in expert reports. I understand that these documents are currently filed under seal and have been restricted from public view, but that they may be unsealed.

5. I understand that, as a result, Y&R's counsel has filed herewith a response to pending motions to continue sealing confidential documents previously filed under seal (the "Response") that requests that the Y&R Confidential Documents continue to be restricted from public view, and/or redacted as discussed below.

6. I have reviewed and am familiar with the Response and the Y&R Confidential Documents.

7. I can verify that the Response's description of the Y&R Confidential Documents – and the damage their public disclosure would cause Y&R – is true and accurate. In particular, I am familiar with and can verify that the chart reflecting the Y&R Confidential Documents is true and accurate.

8. Because the Y&R Confidential Documents were filed under seal, neither Davis+Gilbert, nor Y&R's local counsel, nor I have been able to review the entirety of the pleadings and understand the context, accuracy, or nature of the references of those documents, so specific redactions of that material would not be sufficient to protect Y&R's privacy as a non-party.

9. I have been advised of the general topics at issue in the pending Action. It is my understanding that the Y&R Confidential Documents are only generally relevant, but not directly dispositive, of any of these issues, but if revealed to the public, they would expose Y&R's highly sensitive, proprietary internal information. It is also my understanding that the Court has dismissed the United States' damages claim as moot, and so the Y&R Confidential Documents, which focus

on pricing and cost of advertising, are less relevant, and thus Y&R's privacy interest in protecting its competitive information weighs even more heavily in favor of sealing and/or redaction, as discussed below.

10. Publicity surrounding or disclosure of the documents that are the subject of Y&R's Response will cause Y&R significant commercial and competitive harm. Similarly, disclosure of referenced material which incorporates Y&R's proprietary and confidential information from the Y&R Confidential Documents will cause Y&R significant commercial and competitive harm.

11. I have been advised that counsel for the United States has proposed redactions to certain documents, and that Y&R's counsel has communicated to counsel for the United States that should any of these documents be unsealed, they must be redacted to protect Y&R proprietary and confidential information and to ensure compliance with the appropriate local and federal rules (the "Y&R Documents for Redaction").

12. I have reviewed the Y&R Documents for Redaction as presented with proposed redactions and believe that with the additional redactions that Y&R's counsel proposed, such redactions are sufficient to protect Y&R's privacy and confidential information. I am familiar with and can verify that the chart reflecting the Y&R Documents for Redaction is true and accurate.

13. Finally, the harm to Y&R commercial and competitive interests should the Y&R Confidential Documents become available for public viewing does not have a near-term expiration date and cannot be prevented by more tailored redactions.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 13, 2024



Christopher Edmondson